

FILED

March 17 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. PR 10-0108

FILED

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IN THE MATTER OF DAL SMILIE,

An Attorney at Law,

Respondent.

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*Ed Smith*  
O R D E R CLERK OF THE SUPREME COURT  
STATE OF MONTANA

The Office of Disciplinary Counsel (ODC) has filed a petition asking us to determine, pursuant to Rule 23 of the Montana Rules for Lawyer Disciplinary Enforcement (MRLDE), whether Dal Smilie's conviction of two criminal offenses in the state of Ohio affect his ability to practice law in Montana. ODC further asks that, in the event we determine Smilie's conviction affects his ability to practice law, we issue an order immediately suspending Smilie from the practice of law pending final disposition of disciplinary proceedings predicated upon the conviction. Finally, ODC asks us to direct that office to prepare and file a formal complaint against Smilie predicated upon his conviction.

The copy of the Ohio judgment appended to ODC's petition indicates that Smilie has been convicted of two felony offenses, grand theft and receiving stolen property, for which he has been sentenced to serve consecutive prison sentences of 3 years and 8 months. We conclude the criminal offenses of which Smilie has been convicted are offenses that affect his ability to practice law.

THEREFORE,

IT IS HEREBY ORDERED that Dal Smilie is suspended from the practice of law in the state of Montana, effective immediately, and pending final disposition of disciplinary proceedings.

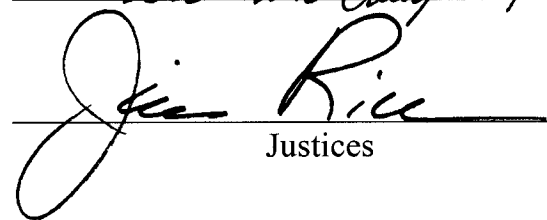
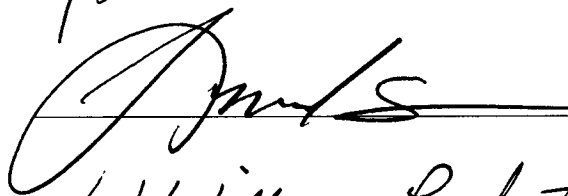
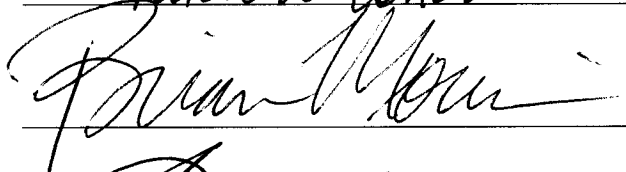
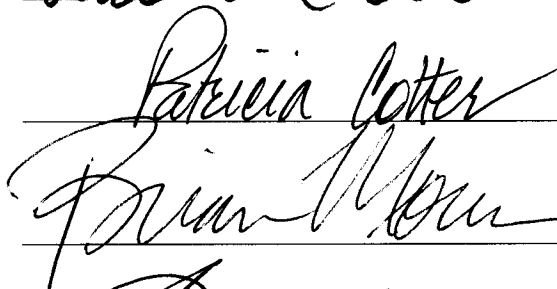
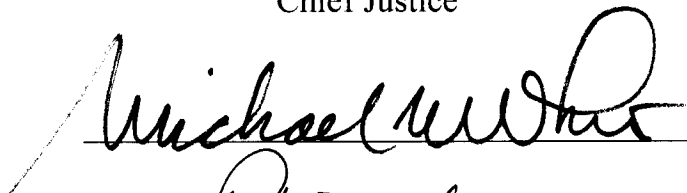
IT IS FURTHER ORDERED that ODC shall prepare and file a formal complaint against Smilie predicated upon his Ohio conviction.

The Clerk is directed to serve a copy of this Order upon Dal Smilie at his last known address and to provide copies of this Order to ODC and the Commission on Practice.

DATED this 16 day of March, 2010.



Chief Justice



Justices